

Planning Board Meeting Minutes
Rowley, Massachusetts
August 8, 2012, 7:30 p.m.
Town Hall Annex - 39 Central St., Rowley, MA

Those present: Chairman Curt Bryant, Cliff Pierce, Jean Pietrillo, David Jaquith, Planning Board consultant Larry Graham, Town Planner Katrina O'Leary.

7:30 p.m.: Chairman Bryant calls the meeting to order.

1. Continued Public Hearing(s): 7:30 p.m. – Cont'd public hearing – The Residences At Carriage Pines LLC, 237 Dodge Road (Site Plan/Special Permit Applications)

The chairman reconvenes the continued public hearing and explains that the applicant has been delayed and plans on arriving to the meeting at approximately 8:15 pm. He continues the public hearing until 8:15 p.m.

The town planner suggests that the board discuss those items on the agenda that applicants are present for. The chairman moves to item 3.d:

2. Request for extension: Meetinghouse Village/Cindy Ln. Subdivision: expires on 8-31-12

The chairman asks Said and Jehad Abuzahra to present their request to the board.

Abuzahra explains that they are seeking an extension of their remaining bond for Cindy Lane due to an appeal taken by John Darling, owner of the abutting land. Pierce questions the length of this appeal and asks Abuzahra to submit proof of the appeal to the board before they agree to sign an extension. Abuzahra agrees. O'Leary suggests the board vote to extend the bond subject to the receipt of a litigation history, including proof of ongoing appeal.

Pierce: motions to approve the applicants request for a one year extension subject to the applicant providing documentation of pending litigation. Jaquith seconds the motion. All vote in favor.

3. 7:45 pm: New Public Hearing(s): 7:45 p.m. –Public Hearing –Sprint Spectrum, Site Plan Review - Wireless Modification, 467 Haverhill Street (Site Plan Review)

Chairman Bryant opens the public hearing for a site plan review at 467 Haverhill Street and reads the legal advertisement. He explains that the board has received a letter from the Conservation Commission notifying the board and applicant that they have an outstanding order of conditions for this property that needs to be addressed. The applicant is presently working on addressing any Conservation Commission concerns and has asked for the public hearing to be continued to August 22, 2012.

Pierce motions to continue the public hearing to August 22, 2012 at 7:45 p.m. Jaquith seconds the motion. All vote in favor.

4. New Applications: Subdivision Approval Not Required Plan: 230 Wethersfield St. – Brown, Richard, Laier, & Brown

The applicant explains that he is looking to purchase a lot from his grandmother-in-law, the owner of the entire parcel shown on the submitted plan. He is hoping to purchase the lot with the existing home and his grandmother will build a new home on the second parcel. Both parcels have adequate frontage and area.

Jaquith motions to endorse the plan as one not requiring subdivision approval. Pierce seconds the motion. All vote in favor.

The board signs the plan and the chairman directs O'Leary to send a letter of endorsement to the Town Clerk's office.

5. Market Basket Landscaping update

Chairman Bryant explains that the town planner had sent an invitation to John Matthews, project management Demoulos, to appear at tonight's meeting to provide an update on landscaping plans for the rear of Marketplace Plaza. The board has received a response that he cannot make tonight's meeting and asked to be rescheduled. The board asks O'Leary to request his attendance at the August 22 meeting of the Planning Board.

6. Continued Public Hearing(s): Cont'd public hearing – The Residences At Carriage Pines LLC, 237 Dodge Road (Site Plan/Special Permit Applications)

Chairman Bryant reconvenes the continued public hearing, seeing that the applicant's attorney, Jill Mann, has arrived. He lists all received documentation since the last hearing:

- 6/13/12 Fire Dept. letter
- 7/27/12 Highway Dept. letter
- 4/23/12 Board of Health letter
- 6/12/12 PB consultant response
- 6/20/12 Applicant response
- 8/8/12 Applicant response and plans

The chairman invites the applicants to present their response to the new information/comments. Rich Williams, project engineer, will focus on what has happened between the board and the applicants between the last meeting and tonight. He also introduces the project proponent, Ralph DiGiorgio, who is present tonight.

Williams explains that two members of the Planning Board participated in a technical review meeting with the town planner and the board's consultant. The board's consultant summarized all comments/suggestions in a memo and sent it back to the applicant. The plans shown tonight are the applicants response to the suggestions from the subcommittee meeting.

Williams explains that one suggestion was to reduce the number of units even more. Mr. DiGiorgio has told Williams that he can't make the reduced number of units work. They did change the plan by converting several singles into duplexes. Pietrillo and Pierce question the proximity of units to the northerly lot line and the extent of blasting needed.

DiGiorgio states that they originally proposed 40 units and have reduced to 36 units, below that they can't make it work. He proposes to keep the golf course open during

construction. Pierce asks for the applicant to include the clubhouse parking lot in the plans. He believes it could be reduced in size and landscaped.

The chairman summarizes the response from applicant dated 8/8/12. Jaquith discusses driveway length and the possibility of clustering the homes into several groups. Graham proposes eliminating all single family homes to create enough space to group the homes as Jaquith suggested.

DiGiorgio tells the board that if they can receive the “go ahead” to work with “36” as the number of units, they can proceed to work on a better plan, incorporating the board’s suggestions. Pierce proposes creating a “town common” in one of the groupings of homes. Graham feels that the Fire Dept. may have a problem with the hammerhead near the emergency access road.

John Gorman, 246 Dodge Rd: Feels that the golf course does not provide any public access, could a passive recreation area be created in front.

Robin Pagliarulo, 261 Dodge Rd: she has problems with the proximity of the proposed homes to her lot line and also the increased traffic the development will create. She asks if the Town could buy the golf course.

John Lyons, 200 Dodge Rd: he is concerned with the construction traffic and proposes making Dodge and Daniels Roads one way to construction vehicles during construction. DiGiorgio proposes temporarily reducing speed limits on the road during construction.

David Delmonico, 175 Dodge Rd: he feels that the Town could buy the Golf Course if they were able to buy the Bradstreet Farm and Hunsley Hills.

Pierce suggests holding another sub-committee meeting. Williams will work on a new plan which incorporates some of the concerns heard tonight.

The chairman continues the public hearing until 8:00 pm on August 22, 2012.

7. Revised Filings/Submissions: 300 Newburyport Turnpike, Jells Group LLC: Request to review/approve prior Site Plan Review Decision conditions for new tenants
Scott Silva, owner, explains that they are fulfilling a condition of their Site Plan Review granted earlier in the year by coming back before the board with two new possible tenants.

The chairman asks if all signs are up yet – Silva answers yes. Graham asks Silva to make sure cars do not park along north side of lot. Bryant asks O’Leary to draft a memo certifying that the condition regarding new tenants has been met. He asks that the applicant come back before the board on August 22 at 7:30 p.m. with proof that the Site Plan decision has been recorded at the Registry of Deeds. The board will wait until then to sign any certification.

8. Zoning Review Committee Appointment

O'Leary explains that she has resigned from the ZRC as an "administrative assistant" and asks the Planning Board to consider recommending her appointment to the ZRC as "town planner."

Pierce motions to recommend to the Selectmen that they appoint Town Planner Katrina O'Leary to the Zoning Review Committee. Jaquith seconds the motion. All vote in favor.

9. Patmos Road Inquiry

The chairman has received an inquiry from the owner's representative at 125 Patmos Road regarding their recently granted special permit. The owner has recently discovered that the whole foundation will need to be replaced – the special permit plans showed only part of the foundation being replaced. The chairman directs O'Leary to let the owner know that they will need a request from the applicant to modify the special permit and site plan before they can act on this.

10. Minutes

The board needs more time to read through all the minutes before voting to approve them.

11. Adjournment

Pierce motions to adjourn the meeting. Jaquith seconds the motion. All members are in favor. The meeting is adjourned at 10:15 p.m.

Documents provided at the meeting and available in the ZBA office:

- 6/13/12 Fire Dept. letter
- 7/27/12 Highway Dept. letter
- 4/23/12 Board of Health letter
- 6/12/12 PB consultant response
- 6/20/12 Applicant response
- 8/8/12 Applicant response and plans
- SANR
- 7/24/12 Jells Group letter
- Minutes: 1/4/12, 2/29/12, 3/7/12, 3/14/12, 3/28/12, 4/25/12, 6/20/12, 6/27/12

Minutes accepted at the August 22, 2012 meeting